

ABA Section of Antitrust Law  
Trade, Sports & Professional Associations Committee

Present

**Scalping or Just the Marketplace at Work? Ticket Reselling in the  
Modern Age**

**Date: Thursday, January 24, 2008**

**1:00pm-2:00pm EST**

The Internet has changed the way most firms do business – sometimes in unforeseen ways. Sports teams historically have had no involvement with the disposition of tickets to live games after the initial sale. Ticket owners were resigned to newspaper advertisements, using expensive brokers, word of mouth, or trying – sometimes contrary to state or local law – to sell near the stadium. The Internet has allowed firms such as StubHub and Razor Gator to begin serving the unmet demand for safe and efficient resale. Once it became clear that a profit could be made on these sales, the traditional ticket sellers began to move in to get their share of the pie. But are the restraints being placed on ticket holders an anticompetitive extension of market power to muscle out new firms or merely a more efficient, secure, and convenient service for fans?

This Brown Bag will explore the changing dynamics in the sports ticketing industry, and in particular how the evolution of ticket reselling has impacted not only traditional ticket brokers but also the sports teams themselves. We will discuss attempted restrictions on ticket resale, including bans on selling through independent companies and minimum resale price restraints. These issues are being addressed in a number of pending litigation matters across the country, including the Cleveland Cavaliers v. Ticketmaster litigation and the New England Patriots v. StubHub litigation.

**SPEAKERS:**           **Renata B. Hesse**, Partner, Wilson, Sonsini, Goodrich & Rosati  
                          **Milton O. Thompson**, Of Counsel, Barnes & Thornburg  
                          **Steven E. Sletten**, Partner, Gibson, Dunn & Crutcher

**MODERATOR:**       **Jerome A. Swindell**, Senior Counsel, Johnson & Johnson

If you wish to participate in this call, please send an e-mail to Jenna Yesalavich at [jyesalav@corus.inj.com](mailto:jyesalav@corus.inj.com). Call in numbers will be forwarded to you 3 days in advance of the session.

Recordings of this Brown Bag will be posted on the Section's website Member's Only area and downloadable in an MP3 format, free of charge at <http://www.abanet.org/antitrust/at-bb/bb-audio.shtml>.